

107TH CONGRESS
2D SESSION

S. 2335

To establish the Office of Native American Affairs within the Small Business Administration, to create the Native American Small Business Development Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2002

Mr. JOHNSON (for himself, Mr. KERRY, Ms. CANTWELL, Mr. WELLSTONE, Mr. DASCHLE, Mr. BAUCUS, Mr. INOUE, Mr. BINGAMAN, Ms. STABENOW, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To establish the Office of Native American Affairs within the Small Business Administration, to create the Native American Small Business Development Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American Small
5 Business Development Act”.

1 **SEC. 2. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 2 **MENT PROGRAM.**

3 The Small Business Act (15 U.S.C. 631 et seq.) is
 4 amended—

5 (1) by redesignating section 36 as section 37;

6 and

7 (2) by inserting after section 35 the following:

8 **“SEC. 36. NATIVE AMERICAN SMALL BUSINESS DEVELOP-**
 9 **MENT PROGRAM.**

10 “(a) DEFINITIONS.—In this section—

11 “(1) the term ‘Alaska Native’ has the same
 12 meaning as the term ‘Native’ in section 3(b) of the
 13 Alaska Native Claims Settlement Act (43 U.S.C.
 14 1602(b));

15 “(2) the term ‘Alaska Native corporation’ has
 16 the same meaning as the term ‘Native Corporation’
 17 in section 3(m) of the Alaska Native Claims Settle-
 18 ment Act (43 U.S.C. 1602(m));

19 “(3) the term ‘Assistant Administrator’ means
 20 the Assistant Administrator of the Office of Native
 21 American Affairs established under subsection (b);

22 “(4) the terms ‘center’ and ‘Native American
 23 business center’ mean a center established under
 24 subsection (c);

25 “(5) the term ‘Native American business devel-
 26 opment center’ means an entity providing business

1 development assistance to federally recognized tribes
2 and Native Americans under a grant from the Mi-
3 nority Business Development Agency of the Depart-
4 ment of Commerce;

5 “(6) the term ‘Native American small business
6 concern’ means a small business concern that is
7 owned and controlled by—

8 “(A) a member of an Indian tribe or tribal
9 government;

10 “(B) an Alaska Native or Alaska Native
11 corporation; or

12 “(C) a Native Hawaiian or Native Hawai-
13 ian organization;

14 “(7) the term ‘Native Hawaiian’ has the same
15 meaning as in section 625 of the Older Americans
16 Act of 1965 (42 U.S.C. 3057k);

17 “(8) the term ‘Native Hawaiian organization’
18 has the same meaning as in section 8(a)(15) of this
19 Act;

20 “(9) the term ‘tribal college’ has the same
21 meaning as the term ‘tribally controlled college or
22 university’ has in section 2(a)(4) of the Tribally
23 Controlled Community College Assistance Act of
24 1978 (25 U.S.C. 1801(a)(4));

1 “(10) the term ‘tribal government’ has the
2 same meaning as the term ‘Indian tribe’ has in sec-
3 tion 7501(a)(9) of title 31, United States Code; and

4 “(11) the term ‘tribal lands’ means—

5 “(A) all lands within the exterior bound-
6 aries of any Indian reservation; and

7 “(B) all dependent Indian communities.

8 “(b) OFFICE OF NATIVE AMERICAN AFFAIRS.—

9 “(1) ESTABLISHMENT.—There is established
10 within the Administration the Office of Native
11 American Affairs, which, under the direction of the
12 Assistant Administrator, shall implement the Admin-
13 istration’s programs for the development of business
14 enterprises by Native Americans.

15 “(2) PURPOSE.—The purpose of the Office of
16 Native American Affairs is to assist Native Amer-
17 ican entrepreneurs to—

18 “(A) start, operate, and grow small busi-
19 ness concerns;

20 “(B) develop management and technical
21 skills;

22 “(C) seek Federal procurement opportuni-
23 ties;

1 “(D) increase employment opportunities
2 for Native Americans through the start and ex-
3 pansion of small business concerns; and

4 “(E) increase the access of Native Ameri-
5 cans to capital markets.

6 “(3) ASSISTANT ADMINISTRATOR.—

7 “(A) APPOINTMENT.—The Administrator
8 shall appoint a qualified individual to serve as
9 Assistant Administrator of the Office of Native
10 American Affairs in accordance with this para-
11 graph.

12 “(B) QUALIFICATIONS.—The Assistant
13 Administrator appointed under subparagraph
14 (A) shall have—

15 “(i) knowledge of the Native Amer-
16 ican culture; and

17 “(ii) experience providing culturally
18 tailored small business development assist-
19 ance to Native Americans.

20 “(C) EMPLOYMENT STATUS.—The Assist-
21 ant Administrator shall be a Senior Executive
22 Service position under section 3132(a)(2) of
23 title 5, United States Code, and shall serve as
24 a noncareer appointee, as defined in section
25 3132(a)(7) of title 5, United States Code.

1 “(D) RESPONSIBILITIES AND DUTIES.—

2 The Assistant Administrator shall—

3 “(i) administer and manage the Na-
4 tive American Small Business Development
5 program established under this section;

6 “(ii) recommend the annual adminis-
7 trative and program budgets for the Office
8 of Native American Affairs;

9 “(iii) establish appropriate funding
10 levels;

11 “(iv) review the annual budgets sub-
12 mitted by each applicant for the Native
13 American Small Business Development
14 program;

15 “(v) select applicants to participate in
16 the program under this section;

17 “(vi) implement this section; and

18 “(vii) maintain a clearinghouse to pro-
19 vide for the dissemination and exchange of
20 information between Native American busi-
21 ness centers.

22 “(E) CONSULTATION REQUIREMENTS.—In
23 carrying out the responsibilities and duties de-
24 scribed in this paragraph, the Assistant Admin-

1 istrator shall confer with and seek the advice
2 of—

3 “(i) Administration officials working
4 in areas served by Native American busi-
5 ness centers and Native American business
6 development centers;

7 “(ii) the Bureau of Indian Affairs of
8 the Department of the Interior;

9 “(iii) tribal governments;

10 “(iv) tribal colleges;

11 “(v) Alaska Native corporations; and

12 “(vi) Native Hawaiian organizations.

13 “(c) NATIVE AMERICAN SMALL BUSINESS DEVELOP-
14 MENT PROGRAM.—

15 “(1) AUTHORIZATION.—

16 “(A) IN GENERAL.—The Administration,
17 through the Office of Native American Affairs,
18 shall provide financial assistance to tribal gov-
19 ernments, tribal colleges, Native Hawaiian or-
20 ganizations, and Alaska Native corporations to
21 create Native American business centers in ac-
22 cordance with this section.

23 “(B) RESOURCE ASSISTANCE.—The Ad-
24 ministration may also provide in-kind resource
25 assistance to Native American business centers

1 located on tribal lands. Such assistance may
2 include—

3 “(i) personal computers;

4 “(ii) graphic workstations;

5 “(iii) CD-ROM technology and inter-
6 active videos;

7 “(iv) distance learning business-re-
8 lated training courses;

9 “(v) computer software; and

10 “(vi) reference materials.

11 “(C) USE OF FUNDS.—The financial and
12 resource assistance provided under this sub-
13 section shall be used to overcome obstacles im-
14 peding the creation, development, and expan-
15 sion of small business concerns, in accordance
16 with this section, by—

17 “(i) reservation-based American Indi-
18 ans;

19 “(ii) Alaska Natives; and

20 “(iii) Native Hawaiians.

21 “(2) 5-YEAR PROJECTS.—

22 “(A) IN GENERAL.—Each Native Amer-
23 ican business center that receives assistance
24 under paragraph (1)(A) shall conduct 5-year

1 projects that offer culturally tailored business
2 development assistance in the form of—

3 “(i) financial education, including
4 training and counseling in—

5 “(I) applying for and securing
6 business credit and investment cap-
7 ital;

8 “(II) preparing and presenting fi-
9 nancial statements; and

10 “(III) managing cash flow and
11 other financial operations of a busi-
12 ness concern;

13 “(ii) management education, including
14 training and counseling in planning, orga-
15 nizing, staffing, directing, and controlling
16 each major activity and function of a small
17 business concern; and

18 “(iii) marketing education, including
19 training and counseling in—

20 “(I) identifying and segmenting
21 domestic and international market op-
22 portunities;

23 “(II) preparing and executing
24 marketing plans;

1 “(III) developing pricing strate-
2 gies;

3 “(IV) locating contract opportu-
4 nities;

5 “(V) negotiating contracts; and

6 “(VI) utilizing varying public re-
7 lations and advertising techniques.

8 “(B) BUSINESS DEVELOPMENT ASSIST-
9 ANCE RECIPIENTS.—The business development
10 assistance under subparagraph (A) shall be of-
11 fered to prospective and current owners of small
12 business concerns that are owned by—

13 “(i) American Indians or tribal gov-
14 ernments, and located on or near tribal
15 lands;

16 “(ii) Alaska Natives or Alaska Native
17 corporations; or

18 “(iii) Native Hawaiians or Native Ha-
19 waiian organizations.

20 “(3) FORM OF FEDERAL FINANCIAL ASSIST-
21 ANCE.—

22 “(A) DOCUMENTATION.—

23 “(i) IN GENERAL.—The financial as-
24 sistance to Native American business cen-
25 ters authorized under this subsection may

1 be made by grant, contract, or cooperative
2 agreement.

3 “(ii) EXCEPTION.—Financial assist-
4 ance under this subsection to Alaska Na-
5 tive corporations or Native Hawaiian orga-
6 nizations may only be made by grant.

7 “(B) PAYMENTS.—

8 “(i) TIMING.—Payments made under
9 this subsection may be disbursed—

10 “(I) in a single lump sum or in
11 periodic installments; and

12 “(II) in advance or after costs
13 are incurred.

14 “(ii) ADVANCE.—The Administration
15 may disburse not more than 25 percent of
16 the annual amount of Federal financial as-
17 sistance awarded to a Native American
18 small business center after notice of the
19 award has been issued.

20 “(iii) NO MATCHING REQUIREMENT.—
21 The Administration shall not require a
22 grant recipient to match grant funding re-
23 ceived under this subsection with non-Fed-
24 eral resources as a condition of receiving
25 the grant.

1 “(4) CONTRACT AND COOPERATIVE AGREE-
2 MENT AUTHORITY.—A Native American business
3 center may enter into a contract or cooperative
4 agreement with a Federal department or agency to
5 provide specific assistance to Native American and
6 other under-served small business concerns located
7 on or near tribal lands, to the extent that such con-
8 tract or cooperative agreement is consistent with the
9 terms of any assistance received by the Native
10 American business center from the Administration.

11 “(5) APPLICATION PROCESS.—

12 “(A) SUBMISSION OF A 5-YEAR PLAN.—
13 Each applicant for assistance under paragraph
14 (1) shall submit a 5-year plan to the Adminis-
15 tration on proposed assistance and training ac-
16 tivities.

17 “(B) CRITERIA.—

18 “(i) IN GENERAL.—The Administra-
19 tion shall evaluate and rank applicants in
20 accordance with predetermined selection
21 criteria that shall be stated in terms of rel-
22 ative importance.

23 “(ii) PUBLIC NOTICE.—The criteria
24 required by this paragraph and their rel-
25 ative importance shall be made publicly

1 available, within a reasonable time, and
2 stated in each solicitation for applications
3 made by the Administration.

4 “(iii) CONSIDERATIONS.—The criteria
5 required by this paragraph shall include—

6 “(I) the experience of the appli-
7 cant in conducting programs or ongo-
8 ing efforts designed to impart or up-
9 grade the business skills of current or
10 potential owners of Native American
11 small business concerns;

12 “(II) the ability of the applicant
13 to commence a project within a min-
14 imum amount of time;

15 “(III) the ability of the applicant
16 to provide training and services to a
17 representative number of Native
18 Americans;

19 “(IV) previous assistance from
20 the Small Business Administration to
21 provide services in Native American
22 communities; and

23 “(V) the proposed location for
24 the Native American business center
25 site, with priority given based on the

1 proximity of the center to the popu-
2 lation being served and to achieve a
3 broad geographic dispersion of the
4 centers.

5 “(6) PROGRAM EXAMINATION.—

6 “(A) IN GENERAL.—Each Native Amer-
7 ican business center established pursuant to
8 this subsection shall annually provide the Ad-
9 ministration with an itemized cost breakdown of
10 actual expenditures incurred during the pre-
11 ceding year.

12 “(B) ADMINISTRATION ACTION.—Based on
13 information received under subparagraph (A),
14 the Administration shall—

15 “(i) develop and implement an annual
16 programmatic and financial examination of
17 each Native American business center as-
18 sisted pursuant to this subsection; and

19 “(ii) analyze the results of each exam-
20 ination conducted under clause (i) to deter-
21 mine the programmatic and financial via-
22 bility of each Native American business
23 center.

24 “(C) CONDITIONS FOR CONTINUED FUND-
25 ING.—In determining whether to renew a grant,

1 contract, or cooperative agreement with a Na-
2 tive American business center, the
3 Administration—

4 “(i) shall consider the results of the
5 most recent examination of the center
6 under subparagraph (B), and, to a lesser
7 extent, previous examinations; and

8 “(ii) may withhold such renewal, if
9 the Administration determines that—

10 “(I) the center has failed to pro-
11 vide any information required to be
12 provided under subparagraph (A), or
13 the information provided by the center
14 is inadequate;

15 “(II) the center has failed to pro-
16 vide any information required to be
17 provided by the center for purposes of
18 the report of the Administration
19 under subparagraph (E); or

20 “(III) the information required to
21 be provided by the center is incom-
22 plete.

23 “(D) CONTINUING CONTRACT AND COOP-
24 ERATIVE AGREEMENT AUTHORITY.—

1 “(i) IN GENERAL.—The authority of
2 the Administrator to enter into contracts
3 or cooperative agreements in accordance
4 with this subsection shall be in effect for
5 each fiscal year only to the extent and in
6 the amounts as are provided in advance in
7 appropriations Acts.

8 “(ii) RENEWAL.—After the Adminis-
9 trator has entered into a contract or coop-
10 erative agreement with any Native Amer-
11 ican business center under this subsection,
12 it shall not suspend, terminate, or fail to
13 renew or extend any such contract or coop-
14 erative agreement unless the Administrator
15 provides the center with written notifica-
16 tion setting forth the reasons therefore and
17 affords the center an opportunity for a
18 hearing, appeal, or other administrative
19 proceeding under chapter 5 of title 5,
20 United States Code.

21 “(E) MANAGEMENT REPORT.—

22 “(i) IN GENERAL.—The Administra-
23 tion shall prepare and submit to the Com-
24 mittee on Small Business of the House of
25 Representatives and the Committee on

1 Small Business and Entrepreneurship of
2 the Senate an annual report on the effec-
3 tiveness of all projects conducted by Native
4 American business centers under this sub-
5 section and any pilot programs adminis-
6 tered by the Office of Native American Af-
7 fairs.

8 “(ii) CONTENTS.—Each report sub-
9 mitted under clause (i) shall include, with
10 respect to each Native American business
11 center receiving financial assistance under
12 this subsection—

13 “(I) the number of individuals re-
14 ceiving assistance from the Native
15 American business center;

16 “(II) the number of startup busi-
17 ness concerns formed;

18 “(III) the gross receipts of as-
19 sisted concerns;

20 “(IV) the employment increases
21 or decreases of Native American small
22 business concerns assisted by the cen-
23 ter since receiving funding under this
24 Act;

1 “(V) to the maximum extent
2 practicable, increases or decreases in
3 profits of Native American small busi-
4 ness concerns assisted by the center
5 since receiving funding under this Act;
6 and

7 “(VI) the most recent examina-
8 tion, as required under subparagraph
9 (B), and the subsequent determina-
10 tion made by the Administration
11 under that subparagraph.

12 “(7) ANNUAL REPORT.—Each entity receiving
13 financial assistance under this subsection shall annu-
14 ally report to the Administration on the services pro-
15 vided with such financial assistance, including—

16 “(A) the number of individuals assisted,
17 categorized by ethnicity;

18 “(B) the number of hours spent providing
19 counseling and training for those individuals;

20 “(C) the number of startup small business
21 concerns formed, maintained, and lost;

22 “(D) the gross receipts of assisted small
23 business concerns;

1 “(E) the number of jobs created, main-
 2 tained, or lost at assisted small business con-
 3 cerns; and

4 “(F) the number of Native American jobs
 5 created, maintained, or lost at assisted small
 6 business concerns.

7 “(8) RECORD RETENTION.—

8 “(A) APPLICATIONS.—The Administration
 9 shall maintain a copy of each application sub-
 10 mitted under this subsection for not less than
 11 10 years.

12 “(B) ANNUAL REPORTS.—The Administra-
 13 tion shall maintain copies of the information
 14 collected under paragraph (6)(A) indefinitely.

15 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
 16 are authorized to be appropriated \$5,000,000 for each of
 17 the fiscal years 2003 through 2007, to carry out the Na-
 18 tive American Small Business Development Program, au-
 19 thorized under subsection (c).”.

20 **SEC. 3. PILOT PROGRAMS.**

21 (a) DEFINITIONS.—In this section:

22 (1) INCORPORATION BY REFERENCE.—The
 23 terms defined in section 36(a) of the Small Business
 24 Act (as added by this Act) have the same meanings
 25 as in that section 36(a) when used in this section.

1 (2) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Small Busi-
3 ness Administration.

4 (3) JOINT PROJECT.—The term “joint project”
5 means the combined resources and expertise of 2 or
6 more distinct entities at a physical location dedi-
7 cated to assisting the Native American community;

8 (b) NATIVE AMERICAN DEVELOPMENT GRANT PILOT
9 PROGRAM.—

10 (1) AUTHORIZATION.—

11 (A) IN GENERAL.—There is established a
12 4-year pilot program under which the Adminis-
13 tration is authorized to award Native American
14 development grants to provide culturally-tai-
15 lored business development training and related
16 services to Native Americans and Native Amer-
17 ican small business concerns.

18 (B) ELIGIBLE ORGANIZATIONS.—The
19 grants authorized under subparagraph (A) may
20 be awarded to—

21 (i) any small business development
22 center; or

23 (ii) any private, nonprofit organization
24 that—

1 (I) has tribal government mem-
2 bers, or their designees, comprising a
3 majority of its board of directors;

4 (II) is a Native Hawaiian organi-
5 zation; or

6 (III) is an Alaska Native cor-
7 poration.

8 (C) AMOUNTS.—The Administration shall
9 not award a grant under this subsection in an
10 amount which exceeds \$100,000 for each year
11 of the project.

12 (D) GRANT DURATION.—Each grant under
13 this subsection shall be awarded for not less
14 than a 2-year period and not more than a 4-
15 year period.

16 (2) CONDITIONS FOR PARTICIPATION.—Each
17 entity desiring a grant under this subsection shall
18 submit an application to the Administration that
19 contains—

20 (A) a certification that the applicant—

21 (i) is a small business development
22 center or a private, nonprofit organization
23 under paragraph (1)(B)(i);

1 (ii) employs a full-time executive di-
2 rector or program manager to manage the
3 facility; and

4 (iii) agrees—

5 (I) to a site visit as part of the
6 final selection process;

7 (II) to an annual programmatic
8 and financial examination; and

9 (III) to the maximum extent
10 practicable, to remedy any problems
11 identified pursuant to that site visit or
12 examination;

13 (B) information demonstrating that the
14 applicant has the ability and resources to meet
15 the needs, including cultural needs, of the Na-
16 tive Americans to be served by the grant;

17 (C) information relating to proposed assist-
18 ance that the grant will provide, including—

19 (i) the number of individuals to be as-
20 sisted; and

21 (ii) the number of hours of counseling,
22 training, and workshops to be provided;

23 (D) information demonstrating the effec-
24 tive experience of the applicant in—

1 (i) conducting financial, management,
2 and marketing assistance programs de-
3 signed to impart or upgrade the business
4 skills of current or prospective Native
5 American business owners;

6 (ii) providing training and services to
7 a representative number of Native Ameri-
8 cans;

9 (iii) using resource partners of the
10 Administration and other entities, includ-
11 ing universities, tribal governments, or
12 tribal colleges; and

13 (iv) the prudent management of fi-
14 nances and staffing;

15 (E) the location where the applicant will
16 provide training and services to Native Ameri-
17 cans; and

18 (F) a multiyear plan, corresponding to the
19 length of the grant, that describes—

20 (i) the number of Native Americans
21 and Native American small business con-
22 cerns to be served by the grant;

23 (ii) in the continental United States,
24 the number of Native Americans to be
25 served by the grant; and

1 (iii) the training and services to be
2 provided to a representative number of Na-
3 tive Americans.

4 (3) REVIEW OF APPLICATIONS.—The Adminis-
5 tration shall—

6 (A) evaluate and rank applicants under
7 paragraph (2) in accordance with predeter-
8 mined selection criteria that is stated in terms
9 of relative importance;

10 (B) include such criteria in each solicita-
11 tion under this subsection and make such infor-
12 mation available to the public; and

13 (C) approve or disapprove each completed
14 application submitted under this subsection not
15 more than 60 days after submission.

16 (4) ANNUAL REPORT.—Each recipient of a Na-
17 tive American development grant under this sub-
18 section shall annually report to the Administration
19 on the impact of the grant funding, including—

20 (A) the number of individuals assisted, cat-
21 egorized by ethnicity;

22 (B) the number of hours spent providing
23 counseling and training for those individuals;

24 (C) the number of startup small business
25 concerns formed, maintained, and lost;

1 (D) the gross receipts of assisted small
2 business concerns;

3 (E) the number of jobs created, main-
4 tained, or lost at assisted small business con-
5 cerns; and

6 (F) the number of Native American jobs
7 created, maintained, or lost at assisted small
8 business concerns.

9 (5) RECORD RETENTION.—

10 (A) APPLICATIONS.—The Administration
11 shall maintain a copy of each application sub-
12 mitted under this subsection for not less than
13 10 years.

14 (B) ANNUAL REPORTS.—The Administra-
15 tion shall maintain copies of the information
16 collected under paragraph (4) indefinitely.

17 (c) AMERICAN INDIAN TRIBAL ASSISTANCE CENTER
18 GRANT PILOT PROGRAM.—

19 (1) AUTHORIZATION.—

20 (A) IN GENERAL.—There is established a
21 4-year pilot program, under which the Adminis-
22 tration shall award not less than 3 American
23 Indian Tribal Assistance Center grants to es-
24 tablish joint projects to provide culturally tai-
25 lored business development assistance to pro-

1 spective and current owners of small business
2 concerns located on or near tribal lands.

3 (B) ELIGIBLE ORGANIZATIONS.—

4 (i) CLASS 1.—Not fewer than 1 grant
5 shall be awarded to a joint project per-
6 formed by a Native American business cen-
7 ter, a Native American business develop-
8 ment center, and a small business develop-
9 ment center.

10 (ii) CLASS 2.—Not fewer than 2
11 grants shall be awarded to joint projects
12 performed by a Native American business
13 center and a Native American business de-
14 velopment center.

15 (C) AMOUNTS.—The Administration shall
16 not award a grant under this subsection in an
17 amount which exceeds \$200,000 for each year
18 of the project.

19 (D) GRANT DURATION.—Each grant under
20 this subsection shall be awarded for a 3-year
21 period.

22 (2) CONDITIONS FOR PARTICIPATION.—Each
23 entity desiring a grant under this subsection shall
24 submit to the Administration a joint application that
25 contains—

1 (A) a certification that each participant of
2 the joint application—

3 (i) is either a Native American Busi-
4 ness Center, a Native American Business
5 Development Center, or a Small Business
6 Development Center;

7 (ii) employs a full-time executive di-
8 rector or program manager to manage the
9 center; and

10 (iii) as a condition of receiving the
11 American Indian Tribal Assistance Center
12 grant, agrees—

13 (I) to an annual programmatic
14 and financial examination; and

15 (II) to the maximum extent prac-
16 ticable, to remedy any problems iden-
17 tified pursuant to that examination;

18 (B) information demonstrating a historic
19 commitment to providing assistance to Native
20 Americans—

21 (i) residing on or near tribal lands; or

22 (ii) operating a small business concern
23 on or near tribal lands;

24 (C) information demonstrating that each
25 participant of the joint application has the abil-

ity and resources to meet the needs, including the cultural needs of the Native Americans to be served by the grant;

(D) information relating to proposed assistance that the grant will provide, including—

(i) the number of individuals to be assisted; and

(ii) the number of hours of counseling, training, and workshops to be provided;

(E) information demonstrating the effective experience of each participant of the joint application in—

(i) conducting financial, management, and marketing assistance programs, as described above, designed to impart or upgrade the business skills of current or prospective Native American business owners; and

(ii) the prudent management of finances and staffing; and

(F) a plan for the length of the grant, that describes—

(i) the number of Native Americans and Native American small business concerns to be served by the grant; and

1 (ii) the training and services to be
2 provided.

3 (3) REVIEW OF APPLICATIONS.—The Adminis-
4 tration shall—

5 (A) evaluate and rank applicants under
6 paragraph (2) in accordance with predeter-
7 mined selection criteria that is stated in terms
8 of relative importance;

9 (B) include such criteria in each solicita-
10 tion under this subsection and make such infor-
11 mation available to the public; and

12 (C) approve or disapprove each application
13 submitted under this subsection not more than
14 60 days after submission.

15 (4) ANNUAL REPORT.—Each recipient of an
16 American Indian tribal assistance center grant
17 under this subsection shall annually report to the
18 Administration on the impact of the grant funding
19 received during the reporting year, and the cumu-
20 lative impact of the grant funding received since the
21 initiation of the grant, including—

22 (A) the number of individuals assisted, cat-
23 egorized by ethnicity;

24 (B) the number of hours of counseling and
25 training provided and workshops conducted;

1 (C) the number of startup business con-
 2 cerns formed, maintained, and lost;

3 (D) the gross receipts of assisted small
 4 business concerns;

5 (E) the number of jobs created, main-
 6 tained, or lost at assisted small business con-
 7 cerns; and

8 (F) the number of Native American jobs
 9 created, maintained, or lost at assisted small
 10 business concerns.

11 (5) RECORD RETENTION.—

12 (A) APPLICATIONS.—The Administration
 13 shall maintain a copy of each application sub-
 14 mitted under this subsection for not less than
 15 10 years.

16 (B) ANNUAL REPORTS.—The Administra-
 17 tion shall maintain copies of the information
 18 collected under paragraph (4) indefinitely.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 20 are authorized to be appropriated—

21 (1) \$1,000,000 for each of the fiscal years 2003
 22 through 2006, to carry out the Native American De-
 23 velopment Grant Pilot Program, authorized under
 24 subsection (b); and

1 (2) \$1,000,000 for each of the fiscal years 2003
2 through 2006, to carry out the American Indian
3 Tribal Assistance Center Grant Pilot Program, au-
4 thorized under subsection (c).

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